REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-25. No new matter is presented. Thus, claims 1-25 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. §103(a):

Claims 1-6 and 8-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,549,921 (Ofek) in view of U.S. Patent No. 6,480,962 (Touboul)/ U.S. Patent No. 6,484,109 (Lofall).

Ofek, Touboul and Lofall do not teach or suggest "... at least one computer-to-network connection to connect both the first and second computers to the data communications network independent from the computer-to-computer connection so that receipt of any data from the data communications network is limited to the first computer and transmission of any data to the data communications network is limited to the second computer...", as recited in claim 1 for example.

The Examiner maintains the comparison of the Ofek system having local and remote systems at different storage facilities that synchronize with each other to establish a mirroring operation with the claimed invention. Applicants respectfully disagree with this assertion for at least the following reasons.

Independent claim 1, by way of example, recites, "a computer-to-computer connection between the first computer and the second computer enabling the first computer to match with the second computer by comparing a first work result of the first computer with a second work result of the second computer..." Ofek does not teach or suggest at least this feature of the claimed invention. See also other claims reciting similar features.

Instead, Ofek is limited to a second system that simply mirrors the data in the first system by checking status of the storage sets pertaining only to a backup operations and disconnections due to the backup operations (see, col. 10, line 66 through col. 11, line 7). Thus, Ofek is silent regarding "...comparing a first work result of the first computer with a second work result of the second computer...", as recited in claim 1 for example.

Moreover, the claimed invention includes a feature where "the first computer is configured to convert, transmit and to store in the second computer non-verified or non-verifiable data received by the first computer only in non-processable form", as recited in claim 1 for example. The claimed "computer-to-computer connection between the first computer and the

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second computer" is patentably distinguishable from the Ofek system that executes a copy program to simply mirror the sets 15 and 16 at the local system with the sets 42 and 43 at the remote system (see, Fig. 1 and col. 11, lines 28-32).

Touboul and Lofall do not add to the teachings of Ofek with respect to the claimed invention, and thus Touboul and Lofall do not cure the deficiencies of Ofek regarding claims of the present application.

In particular, the Office Action refers to col. 6, lines 4-21 of Touboul as teaching these features. These portions of Touboul specifically states:

> "FIG. 6 is a flowchart illustrating details of step 530. Since multiple rule 330 violations may amount to a more serious violation and thus require a stricter response by the response engine 318, step 530 begins with the response engine 318 in step 610 compiling all rule 330 violations currently occurring. The response engine 318 in step 620 compares the compiled rule 330 violations with the security policies 332 to determine the appropriate responsive action for managing the suspicious Downloadable 140 or Downloadables 140, and in step 630 the response engine 318 performs a predetermined responsive action. Predetermined responsive actions may include sending a message via the GUI 324 to inform the user, recording the message in the event log 322, stopping execution of a suspicious Downloadable 140, storing a Downloadable 140 or combination of Downloadables 140 in the suspicious Downloadable database 328, limiting memory available to the Downloadable 140, limiting processor time available to the Downloadable 140, etc."

(see, col. 6, lines 4-21 of Touboul).

As can be seen from the above discussion, these portions of Touboul does not discuss, teach or suggest "the first computer configured to **convert, transmit and to store in the second computer non-verified or non-verifiable data received by the first computer only in non-processable form**" (emphasis added). For the above-discussed reason, the Examiner does not appear to have established a prima facie case of obviousness.

With respect to Lofall, the Examiner relies on col. 5, line 60 though col. 6, line 9 and col. 6, lines 10-25 of Lofall. However, these two sections of Lofall are directed to different technical content where one section pertains to unfavorable background of the invention (col. 5, line 60 through col. 6, line 9) and the other to the Lofall system (col. 6 lines 10-25). It would therefore be improper to combine these features including because one would cause the other to be inoperable for its intended purpose.

Fig. 3 of Lofall shows two devices 10 which can replicate over a connection where the connection may be the Internet (see also Fig. 1). However, this computer-to-computer

connection (e.g. the Internet) is not independent from the connection between the devices 10 and the data collector 11 (see, Fig. 2, 4, 5). This is in contrast to "at least one computer-to-network connection... independent from the computer-to-computer connection...", as taught by the claimed invention.

Moreover, Lofall at col. 5, lines 33-35 explicitly states, "The data collectors 11 may upload data to any individual Device 10 using the network interface 28 of the particular Device 10." Thus, Lofall does not teach or suggest a "computer-to-network connection to connect both the first and second computers to the data communications network independent from the computer-to-computer connection" as taught by the claimed invention. Further, there is no teaching in Lofall directed to transmission of any data to the data communications network that is limited to data collector 11.

Moreover, Lofall does not disclose, teach or suggest that at least an initial processing of the data received from the data communications network is limited to the first computer (e.g. the right device 10 in Fig. 3) and transmission of any data to the data communications network is limited to the second computer (e.g. the right device 10 in Fig. 3). Each of the devices 10 in Lofall may send and receive data.

In light of the above, it is respectfully submitted that the claimed invention is patentably distinguishable over Ofek, Touboul and/or Lofall.

Further, even assuming arguendo that Touboul and Lofall does disclose the features discussed by the Examiner, the Applicants respectfully submit that there is no motivation to combine the cited references. The Examiner stated that the combination of the references would be obvious so that it can synchronize databases transparently in the background. Applicants respectfully disagree with this assertion and submit that a reason for the particular combination has not been provided in order to establish obviousness (see, *KSR International Co. v. Teleflex Inc. (KSR)*, 82 USPQ2d 1385 (2007)). In this case, the rejection based on Ofek, Touboul and Lofall is made by mere conclusory statements.

Therefore, withdrawal of the rejection is respectfully requested.

DEPENDENT CLAIMS:

Claims depending from the independent claims include all of the features of that claim plus additional features which are not disclosed by the cited references. The dependent claims are also independently patentable.

Moreover, U.S. Patent No. 6,567,869 (Shirley) doe not add to the teaching of Ofek, Touboul and Lofall with respect to the claimed invention.

For example, as recited in claim 4, "direct access to internal data of the computer system contained in a central data memory is limited to the second computer" and "the first computer is configured to receive the internal data only upon request via the second computer." The cited references not teach or suggest at least these features of the claimed invention.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.
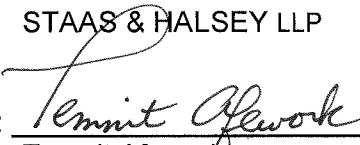
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: __07/08/2011__

By: __/Temnit Afework/__
Temnit Afework
Registration No. 58,202

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501